

Notice of Allowability

Application No.

09/940,406

Examiner

Hai L. Nguyen

Applicant(s)

BOWERS ET AL.

Art Unit

2816

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the response filed on 06/07/04.
2. ☒ The allowed claim(s) is/are 1-21.
3. ☒ The drawings filed on 03 February 2004 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
 - * Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

DETAILED ACTION

Response to Argument

1. Applicant's response filed on 06/07/04 has been received and entered in the case. Applicant's arguments with respect to the prior art rejections are persuasive and, as such, the prior art rejections have been withdrawn. Therefore, the case is found to be in allowance condition for the reasons as set forth below.

EXAMINER'S AMENDMENT

2. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.
3. Authorization for this examiner's amendment was given in a telephone interview with Mr. Robert Miller on 07/13/2004.
4. The application has been amended as follows:

In the claims

Claim 1, in line 14, "and" has been changed to --to--;

Claim 15, in the last line, "and" has been changed to --to--; and

Claim 16, in line 10, "and" has been changed to --to--.

REASON FOR ALLOWANCE

5. The following is an examiner's statement of reasons for allowance:

The prior art of record does not disclose or suggest an apparatus (as shown in Fig. 5), as recited in claim 1, comprising an input section (102) configured to generate a first control signal (120) and a second control signal (122) in response to an input signal (110) and a select signal (112), wherein the input section comprises a first device (N1) and a second device (P1) each having a source and a drain configured to connect the input signal with the first control signal and the second control signal in response to the select signal; and an output section (104) configured to generate an output signal in response to the first second control signals, wherein the output signal is related the input signal when in a first mode and disabled when in a second mode, and specifically the limitation directed to wherein one or more third devices (N2, P3) each have a source and a drain configured to connect the first control signal to the second control signal when in the first mode.

Claim 15 is allowed for similar reasons.

6. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hai L. Nguyen whose telephone number is 571-272-1747 and

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Right Fax number is 571-273-1747. The examiner can normally be reached on Monday-Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Timothy Callahan can be reached on 571-272-1740. The official fax phone number for the organization where this application or proceeding is 703-872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 571-272-1562.

HLN *HLN*
July 13, 2004

Terry D. Cunningham
Terry D. Cunningham
Primary Examiner